

**ENTERED**

August 29, 2023

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:****Mountain Express Oil Company, et al.,****Debtors.**

§

§ **Chapter 7**§ **(Previously Chapter 11)**

§

§ **Case No. 23-90147 (DRJ)**

§

§ **Jointly Administered**

**ORDER GRANTING TRUSTEE'S EMERGENCY MOTION FOR AUTHORITY TO  
OPERATE PURSUANT TO 11 U.S.C. § 721 AS OF AUGUST 24, 2023**

**[Related to Docket No. 1407]**

On this day came on to be considered the *Trustee's Emergency Motion for Authority to Operate Pursuant to 11 U.S.C. § 721 as of August 24, 2023* (the “Motion”)<sup>1</sup> by Janet Northrup, Chapter 7 Trustee of the jointly administered bankruptcy estates of Mountain Express Oil Company, *et al.* (“Trustee”), debtors in the above-styled jointly administered Chapter 7 cases. The Court having considered the same is of the opinion that it should be in all things granted; it is therefore

**ORDERED** that the Motion is granted as set forth herein. It is further

**ORDERED** that Trustee is authorized to operate the Debtors effective August 24, 2023. It is further

**ORDERED** that the Trustee, subject to the express limitations set forth herein, is authorized to take any actions or enter into any further agreements as necessary or advisable to operate the Debtors’ business, including but not limited to the following:

- (i) Negotiate and enter into any agreements necessary or advisable to operate the Debtors as going concerns on the limited basis noted above.

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<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

- (ii) Make payments as necessary under any Order approving the use of cash collateral.
- (iii) Employ non-professional persons to assist in operations, including but not limited to former employees of the Debtors.
- (iv) Preserve and protect the Debtors' records.

It is further

**ORDERED** that all expenditures by the Trustee hereunder are subject to and limited by the terms of any order authorizing use of cash collateral in effect at the time of the expenditure. It is further

**ORDERED** that to the extent applicable, Rules 6004(h) and 6006(d) of the Federal Rules of Bankruptcy Procedure are waived and this Order shall be effective and enforceable immediately upon entry. It is further

**ORDERED** that this Court retains exclusive jurisdiction with respect to all matters, claims, rights or disputes arising from or related to the implementation, interpretation, and enforcement of this Order and any other orders entered in these cases. It is further

**ORDERED** that this Order is without prejudice to, and does not constitute a waiver of, expressly or implicitly, the rights of any party in interest under the Bankruptcy Code or under non-bankruptcy law.

Signed: August 29, 2023.



DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE